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09/694,402	10/22/2000	John Thaddeus Pienkos		9105

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PATENTBANK L.L.C. ATTN: John T. Pienkos
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EXAMINER
MORGAN, ROBERT W

ART UNIT	PAPER NUMBER
3626	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *3/19/08*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *26* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the amendment filed 3/19/08, the following has

occurred: Claims 1-25 have been canceled and claim 26 has been added. Now claim 26 is

presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al.

(4,831,526), Felton (Felton, Bruce, "Rental Car Insurance: Staying out of financial potholes,"

The New York Times, March 23, 1997, pg. 3, 11), Cullen et al. (6,272,528), Underwood et al.

5,873,066 and in view of Pescitelli et al. (5,845,256).

As per claim 26, Luchs teaches a method of providing insurance coverage to a customer,

the method comprising:

(a) during a preliminary period of time:

(1) receiving an initial inquiry from the customer (col. 3 lines 16-38);

(2) providing an input form including at least one field for an entry of a piece of

information concerning at least one of a characteristic of the customer and a characteristic of an

item to be insured (Fig. 10A-B, col. 3 lines 17-38, col. 22 line 5 to col. 23 line 28);

(3) receiving the piece of information following its entry into the input form and submission (col. 2 line 55 to col. 3 line 5, col. 22 lines 5-35, col. 28 lines 20-52);

(4) performing processing in relation to the piece of information (col. 4 lines 26-47, col. 7 line 28 to col. 11 line 2, col. 16 line 30 to col. 17 line 5);

(5) providing a preliminary indication to the customer that the customer will have an ability to order at least one of temporally-limited amounts of insurance and geographically-limited amounts of insurance; and

(6) providing an identifier to the customer (Fig. 1, 10A-B, col. 2 line 55 to col. 3 line 5, col. 3 lines 16-39, col. 5 line 61 to col. 6 line 12, col. 7 line 28 to col. 20 line 50, col. 22 lines 5-35, col. 28 lines 20-52); and

(b) at a subsequent period of time:

(1) providing a field for an input of a limitation relating to a desired insurance coverage regarding a customer-owned item, (Fig. 10A-B, col. 22 line 5 to col. 23 line 28);

(2) receiving the limitation at a central processor as provided by way of a customer-operated terminal (col. 2 line 55 to col. 3 line 5, col. 22 lines 5-35, col. 28 lines 20-52);

(3) performing processing in relation to the limitation to determine whether the desired insurance coverage as restricted by the limitation can be provided (col. 4 lines 26-47, col. 7 line 28 to col. 11 line 2, col. 16 line 30 to col. 17 line 5);

(4) sending a confirmation to the customer-operated terminal concerning whether the desired insurance coverage corresponding to the limitation can be provided (col. 16 lines 30-52);

(8) recording information regarding the desired insurance coverage as restricted by the limitation in an insurance company database.

Luchs includes the feature of receiving a customer specification setting time limits

regarding a desired amount of insurance coverage (i.e., the effective date and the expiration

date). However, Luchs does not include the feature of the time limit specifying a time period of

less than a month as well as at least one of temporally-limited amounts of insurance and

geographically-limited amounts of insurance.

Felton discloses in his article that it is well known in the insurance arts to provide

insurance to customers, wherein the insurance is limited to periods of time of 15 days or 30 days

(pg. 2, par. 7).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to include the features of Felton within the method of Luchs with the motivation of

allowing a customer to reduce the high cost of insurance (Felton; page 1).

Luchs and Felton do not expressly disclose the terminal being customer operated.

However, Luchs clearly discloses a terminal. See Figure 1 and col. 3 lines 5-15.

Cullen discloses obtaining details of a user's requirements for an insurance quotation via

a user's computer, receiving by way of a mobile agent, the user's requirements for an insurance

quotation at a server, and delivering the insurance quotation information, such as the types of

insurance available and the price of the insurance based on insurer-specific underwriting rules

(reads on "confirmation"), to the user at the user's computer, wherein the user's computer is

operated by a customer wishing to purchase vehicle insurance (col. 1 lines 10-18, col. 2 lines 1-

11, col. 3 lines 1-21, col. 6 line 60 to col. 7 line 15, col. 7 line 15 to col. 8 line 32).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to include the features of Cullen within the method taught collectively by Luchs and

Felton with the motivation of allowing a customer to receive the most suitable quotation for

insurance over the Internet (Cullen: col. 1 line 60 to col. 2 line 11).

Luchs, Felton and Cullen fail to teach:

--the claimed receiving a further signal from the customer-operated terminal indicating

that the desire insurance is still desired; and

--the claimed concluding an arrangement so that the desired insurance coverage

concerning the time period is provided to the customer.

Underwood et al. teaches a computer-implemented system for managing underwriting,

quoting and binding insurance companies, where at step 132, if a quote is accepted by the user a

policy is issued and accepted using a graphical user interface (see: column 6, lines 38-45 and Fig.

13). In addition, Underwood et al. teaches a system for quoting, binding and later issuing an

insurance contract in which all relevant information pertaining to the risk is properly documented

and permanently stored (reads on "(8) recording information regarding the desired insurance

coverage as restricted by the limitation in an insurance company database.") (see: Underwood et

al.: column 1, lines 60-64).

One of ordinary skill in the art at the time the invention was made would have found it

obvious to include the computer-implemented system for managing underwriting, quoting and

binding insurance companies as taught by Underwood et al. with the system as taught by Luchs,

Felton and Cullen with the motivation of providing a system for quoting, binding and later

issuing an insurance contract in which all relevant information pertaining to the risk is properly

documented and permanently stored (see: Underwood et al.: column 1, lines 60-64).

Luchs, Felton, Cullen and Underwood et al. disclose obtaining details of a user's

requirements for an insurance quotation via a user's computer, receiving by way of a mobile

agent, the user's requirements for an insurance quotation at a server, and delivering the insurance

quotation information, such as the types of insurance available and the price of the insurance

based on insurer-specific underwriting rules, to the user at the user's computer, wherein the

user's computer is operated by a customer wishing to purchase vehicle insurance, wherein

information is provided to and from the customer's computer and the servers via the Internet

(see: Cullen: Fig. 1, col. 1 lines 10-18, col. 2 lines 1-11, col. 3 lines 1-21, col. 6 line 60 to col. 7

line 15, col. 7 line 15 to col. 8 line 32).

Luchs, Felton, Cullen and Underwood et al. fails to expressly disclose (7) receiving credit

card information from the customer.

Pescitelli discloses payment for a policy being made by credit card, wherein the credit car

is inserted into a credit card reader and is authorized (col. 2 lines 4-13).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to include the aforementioned features of Pescitelli with the method taught collectively

by Luchs, Felton, Cullen and Underwood et al. with the motivation of allowing a customer to

pay for insurance immediately (Pescitelli; col. 2 lines 4-13).

Response to Arguments

Applicant's arguments filed 4/21/08 have been fully considered but they are not

persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they

appear in the response 4/21/08.

In response to Applicant's argument, it is respectfully submitted that the Examiner has applied new passages and citations to newly added claim 26 at the present time. The Examiner notes that newly added limitations were not in the previously pending claims as such, Applicant's remarks with regard to the application of Luchs, Felton, Cullen and/or Underwood et al. to the newly added limitations are addressed in the above Office Action.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, C. Luke Gilligan can be reached on (571) 272-6770. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert Morgan/
Primary Examiner, Art Unit 3626